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THE ULTIMATE JUSTIFICATION:
ETHICAL PRINCIPLES AND TACTICAL DECISION MAKING

A Monograph
by
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Armor

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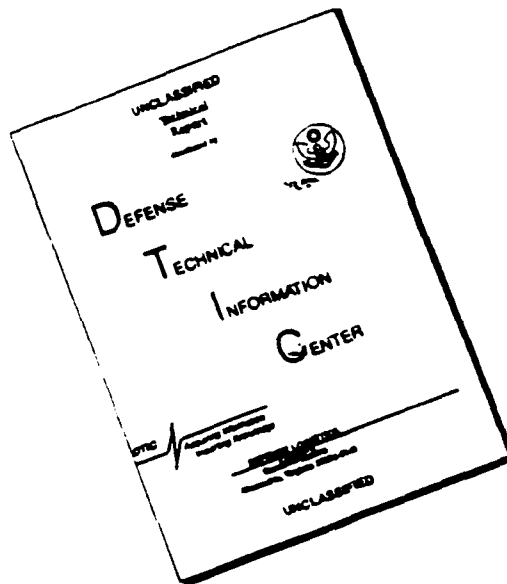
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ABSTRACT

THE ULTIMATE JUSTIFICATION: Ethical Principles and Tactical Decision Making by MAJ Kevin C.M. Benson, USA, 44 pages.

In the age of instant communications tactical decisions must be justifiable operationally and ethically. American forces must fight well in the technical and tactical sense as well as in accord with the laws of land warfare. Decisions taken in the heat of battle must consider ethical factors as well as military when using the decision making process. Yet, war imposes an urgency that precludes philosophic contemplation; decisions must be taken swiftly as time presses the leader. The ethical frame of reference required as a balance to military necessity must be in place prior to battle. This monograph seeks to answer the question: How do ethical principles affect American tactical decision making?

The monograph begins with a separate examination of ethical and military theory. The criteria used as a basis for discussion throughout the monograph are proportionality and discrimination. These criteria affect both ethical and military theory and began with the search for limits on warfare. Next, a review of American tactical decision making doctrine demonstrates this doctrine includes ethical principles. The discussion ends with a hypothetical case study, based upon letters to the author from Gulf War participants, that illustrates the link between ethical principles and tactical decision making. Ethical principles are interwoven into the fabric of American tactical decision making doctrine.

The conclusion shows that ethical principle is part of the foundation of American doctrine. American leaders applying the tactical decision making process to any situation also apply ethical principles. Doctrine requires consideration of ethical principles in decision making and that leaders establish a command climate that encourages ethical behavior. The implications drawn from the monograph indicate that these doctrinal requirements may not be well understood within and without the Army.

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INTRODUCTION

During the final hours of Operation Desert Storm the Iraqi Army attempted to withdraw from Kuwait. The withdrawal turned into a rout. Central Command, CENTCOM, directed Third Army to intercept and destroy the enemy forces running toward Iraq. Three "stories" about how different division commanders executed these instructions emerged from this battle. One general directed his battalions to engage and destroy Iraqi tanks, vehicles, and men, regardless of enemy actions, fighting or running. A second general directed his battalions to fire small arms over the heads of the fleeing Iraqi forces, then destroy the abandoned vehicles. The last general, after viewing the carnage along the Basra road, ordered his battalions to cease engagements, saying the fight went beyond American standards of military necessity. Each decision was a result of the tactical decision making process. Each general made his decision based upon his own experience and judgment. Use of the means of war, firepower, the ways of war, courses of action--these all play a role in the decision making process. How do ethical principles play a role in tactical decision making? This monograph seeks to answer this question.

Some claim that in the instant communication age it is more important than ever that tactical decisions and their outcomes must be justifiable both operationally and ethically. Therefore, American forces must fight well, abiding by the laws of war. Decisions taken

during conflict are based upon a previously developed ethical frame of reference that, for American leaders, has its base in leadership doctrine and its roots in Western philosophy. Others claim that war imposes an urgency that precludes philosophic contemplation. The tactical decision maker must make rapid decisions based upon limited information to accomplish his mission and protect his force. These claims are important because we, American officers, do not think enough about the "dark side" of command: killing, destruction of the enemy, consequences of fighting--if we think about it at all. Both claims bring to the fore two important questions: do ethical principles affect American tactical decision making, and if so, how? The answer to the first question is "yes," but the more important question--how--requires an answer. These are questions leaders must sort through before battle.

The necessary criteria for sorting through these ethical and tactical questions come from Western ethics. They are proportionality and discrimination. These criteria, addressed in detail in the body of the monograph, run throughout ethical theory and military doctrine. The genesis of these criteria began with the search for limits on warfare. Simply stated, discrimination means focusing combat power on legitimate targets of war, such as, enemy troop units, airfields, and naval bases. Proportionality means using only enough force to accomplish the mission. These simple definitions form a key part of this monograph's straightforward methodology.

The monograph begins with a separate examination of ethical

and military theory. A review of American tactical decision making doctrine follows this discussion; the review attempts to demonstrate that this doctrine includes ethical principles. The monograph then presents a hypothetical case study to illustrate the link between ethical principles and tactical decision making. Conclusions and recommendations, based on the descriptions and discussion presented throughout the monograph, complete the monograph.

Tension exists between ethical and military theory; at least there is the appearance of tension. Based upon this appearance, one can state the effect of ethical principles on American tactical decision making in either of two ways: A) ethical principles have no direct relationship or effect on American tactical decision making, or B) ethical principles are a part of the foundation of American doctrine; therefore American tactical decision making is founded upon ethical principles. The discussion of the two propositions begins with a review of the origins of theory, ethical and military.

ETHICAL THEORY

To influence another by the power of will and reason is to command St. Thomas Aquinas¹

The purpose of ethical theory when applied to warfare is to limit the suffering and destruction caused by war. Ethical principles guide the use of force during war and facilitate the restoration of peace.

In Western civilization, the laws governing the decision to make war and the conduct of war are based primarily on Judeo-Christian tradition. The apparent tension between military and ethical theory has its foundations in this tradition. Early Christian ethical theorists provided the underpinning of early Western political thought as well as moral thought. From the fall of Rome to the Hundred Years War strife raged across Europe ending life for many noncombatants. Ethical theorists sought rules or principles to govern action preceeding and during war. Chief among these ethical theorists was Saint Thomas Aquinas, a pillar of Western thought. Although a religious man, his discourses on wisdom, peace, war, and courage are central to any secular or non-secular discussion concerning war and destruction. For Aquinas, the beginning of understanding of the principles which govern action as well as their application is found in wisdom.

In his master work, SUMMA THEOLOGIAE, Aquinas defined wisdom as, "the knowing of things in their ultimate causes."² He further explained wisdom by saying that a wise person has formed judgment, a habit of ingrained virtue guiding one in life. Decisions made based on formed judgment are in consonance with that habit of virtue.³ Aquinas recognized that decisions made in the face of danger, primarily in war, also require steadfast courage to preserve

the connection of the human will and virtue, as prescribed by reason.⁴ Aquinas emphasizes the role of reason both in the development of judgment and in its application--i.e., in reaching a decision. The application of reason allows identification of extremes in action. The path of virtue lies between extremes, indeed Aquinas implies there is no virtue in extremes. Appreciation of extremes and their avoidance is the path to peace, whether that peace is defined as inner peace or the absence of war.

Aquinas wrote that the natural state of humankind is peace, and the aim of rulers and free men and women is the pursuit of peace. Peace is the true reason man forms nations and civil society. Peace is not merely the absence of war, according to the Thomistic theory; rather, "Peace is...an ordered concord, the tranquility of order."⁵ Peace is so important that the decision to enter a war must not be taken lightly. The criteria of just war guards peace; the just war teachings that grew out of Aquinas' writings were an effort to avoid needless wars. When war could not be rationally avoided, the theory sought to restrict and limit the terror of war by requiring a nation to meet specific criteria, the requirements of a just war.⁶ The criteria spells out why and when war is morally permissible and how war could be conducted morally.

Thus Saint Thomas Aquinas provided the criteria for just war to govern the decision to go to war, *jus ad bellum*, and the principle of double effect to govern actions in war, *jus in bello*. The principle of proportionality is a part of both *jus ad bellum* and *jus in bello*. Proportionality as part of *jus ad bellum* means that prior to taking the decision for war the state must determine the costs and damages

of the war to ensure that they do not exceed the good expected to result from taking up arms. Proportionality also guides the use of force during a war. The choice of military options, in accord with this principle, requires the commander to take into account the military advantages achieved and the unintended harms expected to follow the use of an option or force. Specifically, Aquinas intends that military commanders use the principle of double effect in their war-time decision making. This principle states that every act has an intended direct effect, the attack of a legitimate target of war, and an unintended indirect effect, the collateral damage done to innocents. Thus the use of force and the good gained in achieving the military objective must outweigh the harm produced by the weapon effect or course of action.⁷ However, the application of the principle of double effect based on proportionality alone is difficult.

In action almost every commander will weigh the good of protecting his force and the military necessity of accomplishing his mission as greater than unknown, unintended effects. This calculation would, therefore, quickly cease to have any ethical utility. In Just and Unjust War, Michael Walzer proposes an updated principle of double effect. Walzer includes both proportionality and discrimination in a more easily applied principle. Walzer proposes:

The intention of the actor is good, that is, he aims narrowly at the acceptable effect; the evil effect is not one of his ends, nor is it a means to his ends, and, aware of the evil involved, he seeks to minimize it, accepting costs to himself.⁸

Simply stated, Walzer holds that the military commander ask himself: 1) is my act a legitimate act of war, and 2) is my use of force narrowly focused on the legitimate act. This re-stated principle of double effect, Walzer believes, provides the moral

counter-balance for acts that military necessity alone would otherwise judge permissible.

Military necessity, those measures not forbidden by international law and necessary for victory, requires the balance provided by double effect. The combination of proportionality and discrimination of the updated principle of double effect constrain what military necessity alone may permit. The principle then is less difficult to apply. However, Aquinas' idea concerning discrimination is a larger principle encompassing more than just the lives of noncombatants.

Even the existence of a just cause does not mean an army can kill and destroy indiscriminantly. The principle of discrimination requires combatants to refrain from deliberately attacking civilian and other protected targets, such as churches and hospitals. Soldiers cannot deliberately put non-combatant lives at risk. Property also receives protection as it cannot be taken from non-combatants or destroyed without cause. War in itself is not evil, but the attraction of evil influences the men waging war. Applying the principles derived from Aquinas and as modified by Walzer result in war waged with measure, which is exactly the result ethical theorists intended.⁹ Fighting and waging war with measure and consideration, however, requires courage.

Courage, essential to the conduct of battle, is also morally valuable in war. The commander requires both physical and moral courage to fight with measure balancing the use of force in accord with the principles of *jus in bello* derived from Aquinas. Commanders find the median of courage between the extremes of rashness and

cowardliness, and modify it based upon the circumstances of the time and place. Faced with great dangers the commander must act warily. Aquinas recognizes that there are no "hard and fast rules" that apply to every situation, but he goes on to say that the wise use of force by the courageous commander is guided by the habit of courage and formed judgment.¹⁰ The state declares war. St. Thomas tells the thoughtful soldier he must retain a sense of inner peace even when he wages war, for soldiers wage war for the state and are charged with the proper use of the means of war. In this way soldiers win the victory and bring the enemy, "to the prosperity of peace."¹¹ Maintaining a sense of inner peace and applying the limits of ethical theory appears in conflict with the dictates of military theory.

Ethical theorists seek to guide action during war, but military theorists also claim that they provide the basis for applying combat power during war. These competing claims about the use of force are the basis for the apparent tension between the application of ethical and military theory during war.¹² A review of military theory and doctrine will help decide whether this tension is real or apparent.

MILITARY THEORY

The real fruits of victory are won only in pursuit
Clausewitz¹³

Carl von Clausewitz is the preeminent theorist of war. His masterwork, On War, set the standard for military theory in the modern age. Clausewitz focuses his military theory on the act of war as an act of policy executed by the military in response to a decision

taken by the leader of the state. War is a political act. Often, Clausewitz might say, reaching the objectives of policy requires the military use of force, the sword over the pen. Thus for him, war is a rational act of policy, and the act of policy is executed by the army, whose primary consideration is the destruction of the enemy army. Early in On War, Clausewitz establishes definitions of destruction and victory. He lays the foundation for analysis of the phenomenon of war, as well as the role of judgment and other factors introduced into its prosecution.

Clausewitz defines destruction as: "[putting fighting forces] in such a condition that they can no longer carry on the fight."¹⁴ The key to defeating enemy policy is the physical or psychological destruction, through death or capture of the enemy armed forces. The destruction of the enemy force is the dominant consideration of every engagement. The end result of the engagement is an enemy unit that can no longer carry on the fight.

While destruction of the enemy is Clausewitz' dominant criterion for victory, Clausewitz does caveat an absolute adherence to total destruction of the enemy force. He recognizes that the destruction of the enemy may not be possible or even an absolute condition of victory because war results from a rational policy decision by the state. The state sets objectives that the military must attain. The political objective of the war determines the military objectives, the force allocated for the war, and the degree of destruction required. The military attains the objectives of policy through the use of the armed forces in the field. Defeating the enemy includes the destruction of the enemy force or the greater part of it;

that is, putting the enemy in such a condition that it can no longer carry on the fight. Clausewitz uses this argument to emphasize the dominance of the destruction of the enemy as the ultimate aim of battle. Clausewitz wrote of the degrees of destruction outlining four possibilities:

1. To destroy only what is needed to achieve the object of the attack
2. To destroy as much as possible
3. The preservation of one's own fighting forces as the dominant consideration
4. This can go so far as the attacker will attempt destructive action only under favorable circumstances, which may also apply to achievement of the objective...¹⁵

The destruction of the enemy, in one form or another, is a key component of victory. The complete requirements of victory include much more than destruction of the force in the field. Clausewitz's definition of victory varies from destruction of the enemy armed forces, to occupation of enemy land, to seizure of the enemy capitol, to breaking of the enemy's will.¹⁶

Although Clausewitz allows defeat of the enemy may come without a clash of arms through the threat of engagement this happening is unlikely. Indeed Clausewitz addresses this when he writes of bloodshed:

We are not interested in generals who win victories without bloodshed. The fact that slaughter is a horrifying spectacle must make us take war more seriously, but not provide an excuse for gradually blunting our swords in the name of humanity. Sooner or later someone will come along with a sharp sword and hack off our arms.¹⁷

The true destruction of the enemy begins after the battle, during the pursuit.

A vigorous pursuit follows a successful battle. Clausewitz paints the picture of the exhaustion of both sides in the aftermath of a battle. The victor must pursue his enemy, not merely from the field but as far as his forces can push themselves. Clausewitz is very specific in his guidance to students of military theory in this area. He wrote, "Little positive advantage would be gained...unless victory were consummated by pursuit..."¹⁸ The pursuit begins immediately. The value of the victory over the enemy force is calculated by the ruthlessness with which the pursuit is carried out. Clausewitz wrote, "Pursuit makes up the second act of the victory and in many cases is more important than the first."¹⁹ Destruction of the enemy force includes the capture of his forces as well as the death of enemy soldiers. The pursuit then drives the enemy from the field and beyond. The real destruction of the enemy takes place during the pursuit which is the final blow that secures the victory and ensures the attainment of the nation's policy objectives.

The apparent tension between ethical and military theory is dynamic. Victory requires the destruction of the enemy force. Ethical theory strives to limit the amount of force used during war by demanding that the force used must be proportionate to the ends desired. Military theory recognizes extremes, indeed Clausewitz used a model of extremes of theoretical total war in his description of war. For Clausewitz theoretical war lies in extreme, absolute violence. Real war is always limited. In this sense Clausewitz and Aquinas are similar. For Aquinas, the path of virtue, which is identified by the exercise of formed judgment, lies between extremes. Military theory restrains the tendency of war to go to the

absolute by recognizing that policy objectives constrain violence. Similarly, ethical theory restrains governments from taking the decision to go to war and the use of force once war begins. The appearance of tension between military and ethical theory exists but in reality this tension seems to dissipate. A prime example of the struggle between ethical and military considerations is the decision to bomb the French city of St. Lo at the beginning of Operation Cobra during World War II.

General Bradley planned Operation Cobra as a means to breakout from the Normandy beachhead. Strategic bombers played a major role in support of the operation. Bradley intended to use these bombers to "carpet bomb" a path through the German defenses preceeding the advance of ground forces. The axis of advance included the city of St. Lo. St. Lo's civilian population was not evacuated. General Bradley wrestled with the requirements of military necessity and ethical principles. Necessity and protection of his force required him to use the means available to gain victory. Ethical requirements called for him to warn the civilian population of aerial bombardment. The following passage from A Soldier's Story highlights the tension.

[A reporter asked], "Will you {Bradley} warn the French civilians?" I shook my head as if to escape the necessity for saying no. If we tell the French we also tell the Germans and if the Germans then move out the *intended effect*, [author italics] destruction of German reserves, would be lost.²⁰

Bradley wrestled with the double effect. The act of bombing the Germans was a legitimate act of war. The intended effect was the destruction of German reserves. Bradley aimed only at the destruction of the enemy, not the destruction of French civilians. The indirect effect, the death of civilians, was not the end or means to

the end. The good effect of the decision, the destruction of the enemy reserves outweighed the bad effect, the deaths of French civilians. The decision was not an easy one for Bradley, but it was not an unethical decision. He met the requirements of both military and ethical theory. The apparent tension between ethical and military theory was also present in December 1989, as American forces attacked selected targets in Panama in support of the democratically elected government.

American Rangers lead the nighttime assault into Panama. The battalion commander leading the assault on the Torrijos-Tocumen airfields received direct support from Air Force and Army aircraft. These aircraft could deliver devastating firepower over a large area. The commander selected only three decisive targets, targets that could affect his mission, for attack and destruction. In a report on the action, the Ranger battalion intelligence officer, wrote the decision was based on ethical considerations. The commander made a risky decision setting the example for ethical behavior throughout his battalion.

The decision, based on ethical considerations, sent the message to every member of the battalion, "accomplish the mission without compromising what is morally right."²¹ The Ranger commander focused on the indiscriminant nature of aerial fires delivered at night and the potential for unnecessary civilian casualties. His consideration of proportionality and discrimination lead him to select only three key targets. He considered both military and ethical criteria and made a decision. The military gain from the use of more fire did not outweigh the indirect effect, unnecessary civilian

casualties. The ethical decision was a military decision. Here again, ethical behavior is a part of the decision making process, tempered by training, experience, and observations. The ethical decision did not hinder the operation, indeed, "civilians more eagerly provided information and assistance...",²² based on the actions of the Ranger battalion.

Theory suggests, and these historical examples illustrate, that the tension between ethical and military theory and the application of theoretical principles during war is more apparent than real. The application of ethical principles did not limit the legitimate actions of commanders during the accomplishment of their missions. The historical examples demonstrate the application of the principle of double effect did not hinder commanders in accomplishing their missions. Rather, the principles guided their actions. GEN Bradley may have been constrained by the technology of his era, but he was not constrained by ethical principles. The advance of technology allowed the Ranger commander the luxury of selectivity, but the ethical principles guiding his action was the same. A reading of Army doctrine also supports the belief that the tension between military and ethical theory is often more apparent than real. The Army's laws of land warfare, leadership doctrine, and military decision making doctrine--all combine in an attempt to incorporate ethical principles as guidelines for military actions.

AMERICAN TACTICAL DECISION MAKING DOCTRINE

The commander alone is responsible for all that his unit does or fails to do. FM 101-523

The decision making process used by the U.S. Army is uniquely American, rooted in military law and leadership doctrine. These roots provide continuity between all of the relevant field manuals, a continuity which forms the foundation for tactical decision making. Understanding these roots and seeing this continuity starts with the understanding of FM 27-10, The Law of Land Warfare.

The law of war is a part of American law, civil and military. It embodies treaties, customs, written and unwritten laws concerning war and governs U.S. military operations during combat. Violation of these laws is a violation of the Uniform Code of Military Justice. FM 27-10, The Law of Land Warfare, provides American commanders with guidance on the use of force in war and interpretations of international treaties that regulate the conduct of war. The purpose of the law of war is regulation of combat to, "protect combatants and non-combatants from unnecessary suffering,...and, facilitating restoration of peaceful relations among nations."²⁴ Thus the law of war limits a belligerent's use of power and requires all belligerents to refrain, "from employing any kind or degree of violence which is not actually necessary for military purposes..."²⁵ This restraint forms the basis of military necessity.

Military necessity, according to FM 27-10, is the principle used to justify measures not forbidden by international law, measures that military commanders believe are indispensable for securing victory as soon as possible.²⁶ Military necessity and the restraint required on degrees of violence guide military actions during war. The

previously described example of the Ranger battalion commander in Panama illustrates this point. The commander received support from aerial firepower and could have selected dozens of targets for destruction. He considered military necessity and the degree of violence that aerial firepower could cause and decided to engage only three targets. FM 27-10 clearly tells American soldiers the loss of life and damage to property must not be out of proportion to the military advantage gained by an act or use of a means of war.²⁷ The manual's prescriptions parallel those of proportionality found in the writings of St. Thomas and Walzer.

The laws of war recognize both policy limits and ethical limits. The law of land warfare is part of American law, and American policy is based upon the law. Policy establishes goals for war, and the law governs the actions taken during war. The law, incorporating ethical guidance, enjoins American leaders to regulate combat action to facilitate the restoration of peaceful relations.²⁸ Thus the law of land warfare, using both ethical and policy limits to prescribe action, provides a part of the foundation of American tactical decision making doctrine. Leadership doctrine provides a second part of the foundation.

The capstone manual for the Army leadership is FM 100-1, The Army. The manual outlines the professional Army ethic of loyalty, duty, selfless service, and integrity.²⁹ The Army ethic recognizes universal soldier values like courage and professionalism and binds these universal soldier values with uniquely American values. These American values begin in our Constitution and the soldier oath to support and defend it. This ethic is the basis of Army leadership

doctrine.

In FM 22-100, Military Leadership, American leadership doctrine expands from that presented in FM 100-1. FM 22-100 describes the nature of war and confirms that, to face future war, leaders must be committed to the professional Army ethic. The manual explains that leader development must focus on forming leaders capable of making "good" decisions, decisions that consider both short- and long-term effects.³⁰ Doctrine recognizes there are different leadership styles and different leaders. Further, it recognizes that different leaders reach different conclusions based on personal analysis of factors and forces relating to situations.³¹ In this way, leadership doctrine provides the parameters that guide decision making.

One guide for leaders is the requirement that leaders must be the "ethical standard bearers" of their units. FM 22-100 states, "The ethical development of self and subordinates is a key component of leader development."³² Leaders must be sensitive to the ethical elements of their situations and provide units moral force that allows soldiers to fight courageously and honorably in accord with the laws and customs of war.³³ A senior commander has a greater impact on many units and so there is a greater requirement for ethical behavior at the senior level of command.

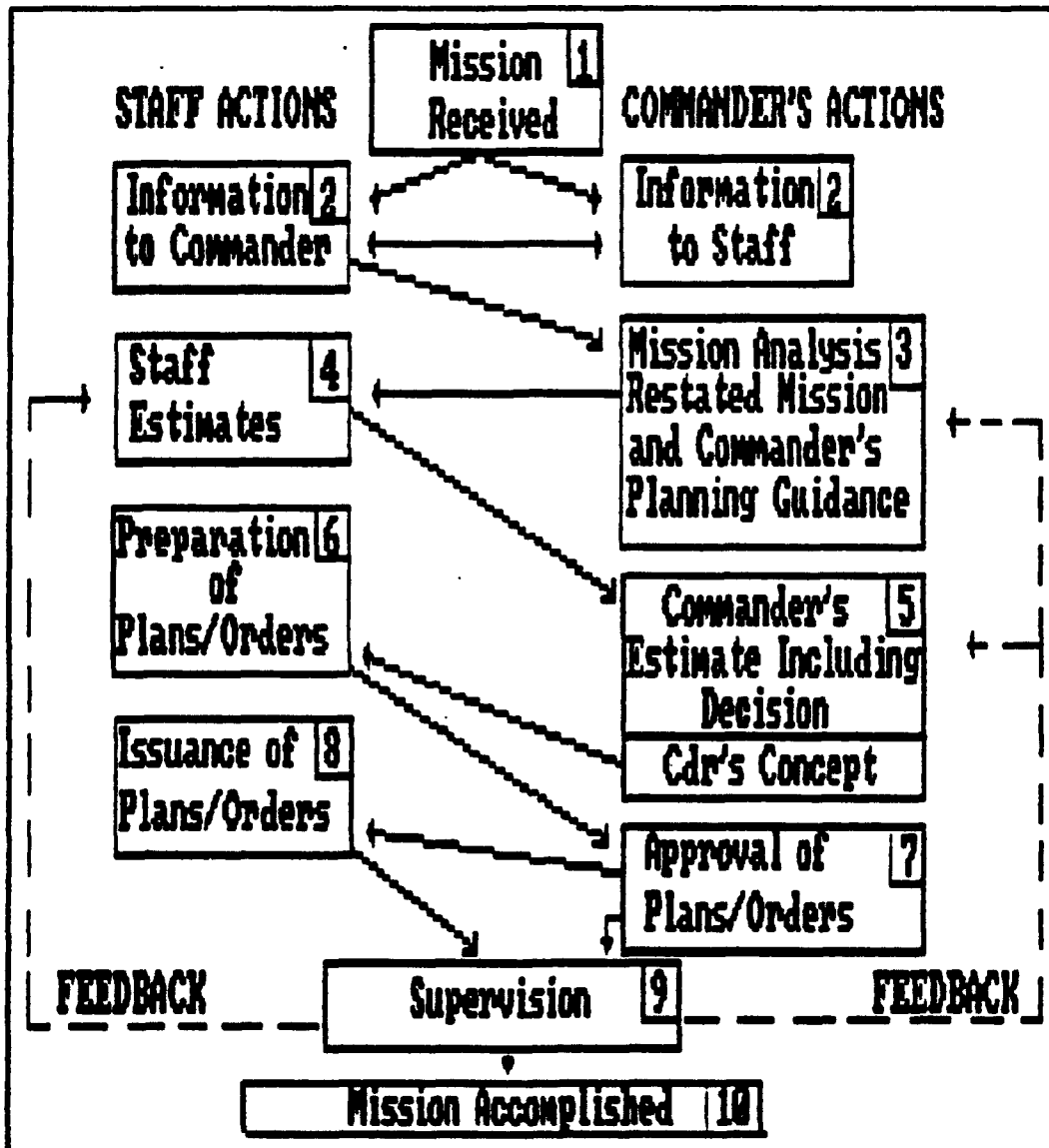
FM 22-103, Senior Level Leadership, outlines the requirements for senior leaders in the American Army. According to this manual the most important requirement for the senior leader is establishing a proper command climate. Senior level leaders set the command climate of their units based upon the Army ethic and an understanding

of the senior commander's intent. The command climate fosters high standards, an ethical decision making process, and fighting according to the laws and customs of war. As the manual states, "Ethical behavior is lived..."³⁴ Leadership doctrine and the law of land warfare establish the parameters for leaders' actions and decisions. In combat, American leaders who take decisions within these parameters use the tactical decision making process.

The American tactical decision making process is outlined in FM 101-5, Staff Organization and Operations. [See figure 1] The commander and his staff use the military decision making process to develop courses of action, arrive at and execute decisions. Ethics, in accord with leadership doctrine and the laws of land warfare, affect the decision making process at five points: mission analysis, commander's guidance, staff estimate & course of action development, commander's decision, and during supervision and execution of the mission. Mission analysis, the important third step of the process, sets the direction the commander and staff follow throughout the model.³⁵

The entire staff plays a role in mission analysis. The staff reviews the mission both to understand the entire mission and with an eye toward their particular area of staff responsibility. The staff should also serve the commander by applying the ethical principles found in doctrine and the law of war. The staff applies its collective knowledge during the analysis of the mission and presents its review to the commander as a part of the information briefings needed to determine the re-stated mission of the unit. The restated mission is a part of the commander's guidance, the first area in which

MILITARY DECISION-MAKING PROCESS



the commander has the opportunity to directly apply ethical principles to a mission.

The commander's guidance addresses the seven battlefield operating systems and their use during the development of courses of action. The commander usually bases this guidance on his analysis of the mission and the development of his intent. However, he should also consider the ethical principles cited in the laws of war. The commander directs the staff to prepare courses of action each of which should accomplish the mission and meet the requirements of the laws of war. The courses of action focus on the enemy through legitimate means and minimize, to the extent possible, the effects on non-combatants.

During course of action development, the staff considers the battlefield operating systems applied over the battlefield framework. Each course of action is distinct and incorporates the commander's guidance and intent. Once the courses of action are developed the staff wargames the courses of action against likely enemy courses of action while applying the principle of double effect. Again, the questions remain the same: do the courses of action accomplish the mission while remaining legitimate acts of war, and, do the courses of action accomplish the mission without requiring excessive non-combatant losses as a means to the end? The commander receives the results of this staff analysis in the form of a recommendation on the course of action that best accomplishes the mission and fulfills the commander's intent. The end result of this process is a decision by the commander. Once a decision is made the commander and staff continue the application of ethical principles during the preparation

for and execution of the mission.

The commander's example of ethical behavior establishes the command climate within his unit. The parameters for ethical decision making and the commander's own ethical behavior set the tone for decision making within his subordinate units. Thus, even the American commander that sets the example of applying only doctrine and "military" considerations unconsciously incorporates ethical considerations in his decisions. The parameters of doctrine ensure the commander and his units select militarily and ethically correct courses of action and execute the plan in the same manner. The historical example that follows illustrates the tactical decision making process as it was applied during battle.

During March 1945 Charles MacDonald served as a rifle company commander in the 23d Infantry Regiment. In his book, Company Commander, he describes an attack made by his battalion in the final drive into Germany. The steps of the decision making process and the actions taken by the commanders and staff officers in preparation for the attack illustrate the tactical decision making process. The preparation began with the receipt of the mission.

The mission MacDonald's battalion received from regiment was, "attack at any time after seven o'clock the next morning, passing through the 1st Battalion to take the wooded pass and continuing on to Iveltingen."³⁶ The battalion commander issued a warning order to his companies, telling them of the attack and an initial formation. The battalion warning order told the company commanders the battalion attacks in a column of companies; Company I follows Company L till a phase line then Company L swings right and Company

l attacks on the left flank.³⁷ After the warning order the battalion commander took the company commanders on a reconnaissance while the battalion staff worked on the order, based on the commander's guidance.

The selection of a battalion formation for the attack was the basis for the development of courses of action. The analysis of the enemy situation, which was uncertain as the battalion was out of contact, drove the staff to recommend leading with minimum force until the situation developed. The column of companies provides a simple means of control. The battalion commander's reconnaissance reinforced the early decision for a column of companies attack. The battalion commander coordinated with the 1st battalion commander during the reconnaissance. Reconnaissance also disclosed the town of Iveldingen was inhabited. After the reconnaissance was completed all the commanders returned to the battalion command post.

When MacDonald's commander returned the staff presented him with sketchy information. The enemy held hasty positions at best and had little artillery support. The division artillery was in direct support of the attack. The companies received resupply and replacements. Based upon the sketchy enemy information the staff recommended attack as initially directed in the warning order and after seeing the ground during his reconnaissance, the commander agreed. A further warning order was issued to the company commanders directing them to continue their planning based upon the warning order and setting a time for the battalion operations order.

The battalion commander issued the order at the forward battalion command post, overlooking the battalion attack route. L

company received priority of artillery support until MacDonald's I company was committed. The staff prepared artillery targets, but artillery would only be fired upon enemy contact. The company commanders returned to their companies and the battalion commander and staff turned to supervising the execution of the preparations and the attack.³⁸

The tactical decision making process provided a systematic approach to planning for this battalion's attack. MacDonald does not specifically mention ethics in his book, but upon close examination the influence of ethics becomes apparent. The battalion commander and staff used the decision making process. MacDonald's battalion commander does not wantonly use artillery fires. Enemy information was sketchy therefore targets were planned for immediate suppression not just fired indiscriminantly. MacDonald describes a process used in his battalion that allowed decisions to be made rapidly, with concern for the lives of his soldiers and German civilians. The deaths of civilians were not mentioned in this part of the book, but clearly were not the means to the battalion's end. MacDonald's battalion commander acted in accord with American doctrine, and as doctrine is based upon ethical as well as military theory, incorporated these principles into his decision. The discussion of tactical decision making doctrine and the historical example now allow a review of the propositions stated earlier.

The doctrinal requirement that leaders live ethically is not limited to peacetime but also extends to operations during war. Living and acting according to leadership doctrine and the law of war establishes the atmosphere in which the tactical decision making is

used. The American commander, acting in accord with American doctrine, is expected to practice ethical behavior and apply this behavior in the decision making process. The following hypothetical case study further illustrates that ethical principle forms a part of the tactical decision making process. The case study, based upon fact, highlights the application of double effect during war.

WHERE THE RUBBER MEETS THE ROAD:

CASE STUDY

The case study allows the analysis to focus directly on the effect of ethical principles on tactical decision making by presenting situations requiring difficult decisions. Each situation presents a tactical background leading to a decision point. The principles of discrimination and proportionality affect each situation in varying degrees. The tactical decision making process provides the framework within which ethical principles come to bear as guides to the commander's actions. The case study shows, as Walzer wrote, that war is the hardest place to make moral judgments, and if moral judgments are possible in war, they are possible anywhere.³⁹ In the profession of arms moral judgement is unavoidable.

BACKGROUND SITUATION

Lieutenant Colonel Able deployed his battalion from Germany to Southwest Asia some months ago. Ground offensive action will begin in a few days. The Air Force conducted a masterful campaign seizing

air supremacy and disrupting enemy reinforcement operations. Intelligence reports credit the enemy forces with tanks and infantry fighting vehicles that are technologically similar to those of the battalion. The enemy prepared his positions for over six months. In a previous war the enemy demonstrated some dexterity in handling armored forces and artillery. Lieutenant Colonel Able's mission requires him to pass through a breached minefield, then conduct a movement to contact as the lead force of his brigade. The enemy positions are strong and arrayed in depth, with tank and infantry company team sized forces in mutually supporting positions. Able feels his battalion will win but he also anticipates a tough fight. The theater commander set D-Day and H-hour for the upcoming weekend.

SITUATION ONE: The First Contact

The battalion crossed the line of departure at H-hour. The breach and passage of lines was uneventful, with the exception of some desultory artillery fire. Brigade expects contact with enemy reconnaissance forces near H+4. Able deployed his battalion in a battalion square formation in accord with his battalion tactical SOP.

CONTACT, TANKS, NORTH! The scout platoon reports an engagement with a reconnaissance force equipped with tanks. The platoon leader reports that his Bradley is hit. The driver and gunner are not answering on the intercom, and the lieutenant believes they are dead. The lieutenant, also wounded, reports he sees a defiladed route around the enemy position and will direct the battalion lead company as long as he can retain consciousness. Able must take two decisions very quickly regarding:

- 1] execution of an SOP battle drill attack on the enemy
- 2] whether or not to send a force to rescue the scout platoon leader

The principle of discrimination plays a small role in this instance. There are no noncombatants in the area so all potential targets are military in nature and whatever means selected can proceed without violating this principle. Proportionality demands the means employed not exceed the desired end. In this case the commander decides that the principle of double effect based on proportionality and discrimination does not hinder effective action.

The ethical principles spelled out in our doctrine and the law of war do not limit action in this case. The commander's tough decision remains how to proceed: use the advantage of the scout platoon leader's reports, possibly jeopardizing his life but defeating the enemy force, or use some of his limited time and sending a force to rescue the scouts. His decision: use the reports and attack the enemy flank. The commander's duty remains clear. He therefore operates in a manner that benefits the entire battalion task force and when the battle ends saves the scouts. A soldier takes a soldier's chance. Duty requires accomplishing the mission and protecting the force. Protection of the task force in this instance required taking a chance with a small portion of the task force.

SITUATION TWO: Meeting Engagement

The first contact ended favorably for the battalion task force. The scout platoon leader was evacuated to the brigade support area

and will live; unfortunately, the battalion task force did lose two men and one Bradley. The scout platoon resumed its place in the van of the task force. Brigade sent down a report of possible enemy forces moving toward the brigade axis of advance, estimated as a battalion sized force of tanks and infantry. Able's battalion task force remains the brigade advance guard and prepares for a meeting engagement. An air cavalry troop ahead of the task force reports contact with a stationary force and visual contact with a moving force. Able's task force moves toward the scene of action.

CONTACT, TANKS AND PC'S, NORTH! The scout platoon reports the stationary force appears to be a logistics unit. Simultaneously, Able's lead company team reports contact with an enemy tank heavy company team. The task force fire support team calls for fire on both targets and the air liaison officer requests close air support. The air cavalry troop's Cobra attack helicopters engage the support unit. Able moves forward in his tank toward his lead company, directing the operations officer and executive officer to monitor both fights. The scout platoon reports some of the logistics unit elements raised the white flag. The air cavalry troop confirms this, but adds that the enemy tank company is intermingled with the logistics unit and is continuing to fight. The brigade intelligence officer radios that the enemy is a task-force sized unit, saying it continues to move toward Able's battalion task force. The brigade commander tells Able to develop the fight while he directs follow-on task forces into the enemy flank. Able must take decisions regarding:

1) battalion task force deployment in the meeting engagement

2] the surrendering logistics unit

In this circumstance both ethical principles affect tactical decisions. The principle of discrimination requires the task force to accept the surrender of enemy logistics units, and cease fire directed at these elements. The task force must discriminate between fighting units and those under the protection of the white flag. Able's units may fire in the direction of surrendering units and not violate the principle if they fire at units still resisting. The intended effect of the fire directed at the enemy destroys units still fighting. The unintended effect may destroy elements surrendering. The fault here falls on the enemy taking advantage of the cover of "protected" units. Able's forces must fire upon resisting units, but not use indiscriminant fire. Proportionality requires fires directed at intermingled units not be so destructive as to destroy everything in the target area. Direct fires play the dominant role in this part of the fight. The remainder of the enemy force approaching Able's task force receives the full brunt of the fires available to the task force. The principles do not hinder action in this case, Able executed a legitimate act of war directed at an enemy force using proportionate force.

Able and his task force directed the bulk of their fires on the approaching enemy force. The scouts and Cobras use their TOW systems to selectively destroy resisting enemy vehicles among the logistics unit. The fight quickly builds in intensity. The enemy force rushed headlong into the brigade engagement area and was crushed by the weight of fire applied by the task force plus supporting arms. Proportionality and discrimination guided actions during this fight

and did not hinder effective use of the means of war. Able's task force continues to fight well technically, tactically, and according to the rules of land warfare.

SITUATION THREE: MAJOR ENGAGEMENT

The task force stopped long enough to rearm and refuel. The brigade commander met with Able and the other task force commanders. On the hood of his HUMMYY, the brigade commander outlined the developing situation. The enemy was desperately trying to reposition his forces and avoid an envelopment by approaching American forces. The Air Force continued hammering enemy forces when they moved. In an attempt to protect his flank the enemy commander repositioned a very strong brigade astride their brigade's axis of advance. The brigade was now the division main effort, and their mission: destroy the enemy force in their zone in order to facilitate the advance of follow-on forces. The brigade S-2 briefed the commanders on the enemy situation. The enemy occupied prepared positions, supported by at least four battalions of artillery. Enemy tanks were T-72M1, allegedly the equal of the M1A1. The zone was covered with smoke from burning oilfields making air and attack helicopter support unlikely. The brigade commander ordered the brigade task forces into a line formation, Able's task force on the brigade left flank. The brigade S-3 briefed the task force S-3's on the specifics of the plan. Able returned to his tank and called his company team commanders.

Able and his S-3 briefed the company team commanders on the

upcoming fight. During the briefing the task force tactical operations center received sniper fire killing the battalion master gunner, a highly regarded soldier. The grief of the soldiers in the task force rapidly turned to a desire for revenge. Undirected anger may harm the task force, and Able reminded the assembled commanders that brave men die during war. Truly brave men control their anger and use this emotion as an instrument. Commanders must guide the use of anger with their reasoned judgment in order to accomplish the task force mission.⁴⁰ Able directs his commanders return to their companies. Grief must wait.

The battalion moves out. The brigade command radio net is alive with intelligence reports. The enemy force will stand and fight. Division artillery begins fire missions on known enemy locations. Attack helicopters and close air support are unavailable due to the smoke and haze produced by burning oil wells.

CONTACT, TANKS, EAST! The task force scouts report enemy tanks dug in along a ridge line, nearly five kilometers ahead of the battalion. As this report comes across the task force command net, enemy artillery fire comes crashing in on the battalion. The fire is heavy but unobserved and presents no real danger to the force. The task force closes the distance between itself and the enemy. Able must make rapid decisions regarding:

- 1) the method of engagement of the enemy, and,
- 2) control of the fires of his force.

Enemy artillery fire continues to fall. The flashes from the oil well fires, artillery bursts, and tank main gun blasts lend a surreal aspect to the fight. Able directs his tanks to begin firing at 3000

meters. Able thinks this must be what Dante's Inferno looked like.

The enemy stands and fights. The tank battle rages on for forty minutes because enemy forces do not attempt surrender, preferring to fight and die. As savage as the fight is, the principles of discrimination and proportionality still guide the actions of the commander and the task force. Discrimination does not hinder action. The enemy elects to fight and there are no non-combatants in the area. Proportionality does not hinder action either. The enemy chose to fight and uses arms of equal capability. Able and his task force are correct in using the arms they bear against the enemy force. This hard fight does not violate the law of war or the ethical principles the laws are based upon. Able's decisions on controlling the fight are guided, not hindered, by the ethical principles underlying the decision-making process. The clash of arms continues until the enemy surrenders, retires from the battlefield, or is destroyed. In this action, the enemy fights until he is destroyed.

SITUATION FOUR: The Pursuit

The last fight is over. Able's task force is exhausted, mentally and physically. The brigade radio net is alive with situation reports. The brigade commander directed the brigade supply officer to bring up ammunition and fuel. All the commanders sense the enemy is on his last legs and know the real victory comes in the pursuit of broken enemy forces. The brigade expects the capture of large numbers of enemy soldiers and prepares for that event. Able and his staff monitor the resupply effort. When the task force is resupplied, Able

reports to the brigade commander. The brigade commander directs Able to begin the pursuit of the enemy. Able's task force moves out. He directs his company teams to destroy the enemy if he fights, but offer every opportunity to the enemy to surrender.

CONTACT,TANKS AND PC'S, NORTH! The scouts report an enemy unit with tanks north of the task force, driving south. Civilian vehicles are interspersed among the enemy tanks. Able directs the lead company team to hold fire on the enemy unit. The brigade command net crackles with reports of an enemy advance. The enemy is making one last push to cover his withdrawal. The scouts report the advancing enemy is closing on their positions and civilians, nomads with families and their possessions, are moving with the enemy force. A scout observation post reports that it is under fire from the enemy force. The lead tank company reports that it cannot return fire without firing into the civilians. Neither the scouts nor the lead company can determine whether or not the civilians are being prevented from leaving the enemy force or are a part of it. A fireball lights the sky. The scout platoon sergeant reports he lost a Bradley with its crew to enemy fire. The scouts cannot return fire and are trying to reposition but may not be able to break contact. The lead company still cannot return fire without hitting the civilians.

CONTACT,TANKS,DIRECT FRONT! The air cavalry scouts operating to the front report that a very large mass of men, tanks, and vehicles of all types are directly to the front of the task force. This is the enemy counterattack reported by brigade. The air cavalry scouts report receiving fire from the enemy. Able must take very rapid decisions:

1) can the task force fire on the enemy intermingled with civilians, and

2) are the fires focused on the enemy force

These last decisions are extremely difficult. Able applies the principle of double effect based upon proportionality and discrimination. The situation defies prolonged contemplation, for a part of the task force is at risk. The act of firing is a legitimate act of war. The enemy is using the cover of protected non-combatants to approach the task force. The intent of the fires is not to kill civilians. The act is justified militarily and ethically. Able orders his forces to return fire.

Every weapon in the task force finds a target and all order in the enemy advance is destroyed. The rout begins as fire ranges the length of the column. Able moves about the battlefield in his tank, controlling the fires of his forces and trying to limit the loss of life inflicted on the civilians intermingled with the enemy force. Some enemy elements wave white flags, and Able directs his force not to fire on the white flag. Some enemy units continue to fight, and these are destroyed. The fight rages for hours but finally organized resistance ceases. Able's task force and his brigade broke the enemy will to fight. Support units come forward to repair vehicles, tend the wounded of both sides, and bring up fuel and food.

The principles of proportionality and discrimination never hindered Able's tactical decision making process. He answered the questions posed by the principle of double effect and guided the actions of his task force. These principles are such a part of the American tactical decision making process and leadership doctrine

that Able may make decisions and never even realize he takes the principles into consideration. Able executed actions in accord with American tactical doctrine and lived American leadership doctrine.

American leadership doctrine and American tactical doctrine are interdependent. Furthermore, ethical principles are such a part of the process they are indistinguishable as separate from the process itself. This melding of principles and doctrine leads to effortless and immediate assessments in training and decisions on the battlefield.⁴¹

The preceeding review of ethical and military theory, American tactical decision making doctrine, and the hypothetical case study allow several conclusions concerning the effect of ethical principles on American tactical decision making.

CONCLUSION

Augustine concluded faith could not dispense with force. The converse is also true, force cannot dispense with faith.⁴²

The effect of ethical principles on American tactical decision making is clear. Ethical theory, as the root of American values, is an integral part of the tactical decision making process. American leadership doctrine prescribes the ethical course of action as the best selection for mission accomplishment, for example, the commander's estimate of the situation, according to FM 101-5, is based upon; "personal knowledge of the situation, **ethical considerations**, and staff estimates."⁴³ The principles of ethical theory are interwoven in American tactical doctrine but do not and cannot prescribe only one path to the best decision. Every decision maker, faced with a unique situation, defines the proper path between extremes.

No set of rules, military or ethical, provides the one correct answer to every tactical decision. The fundamental make-up of the leader, in addition to his training and the facts of the situation, provide the frame of reference for decision making. COL Anthony Hartle, in his book Moral Issues in Military Decision Making, tells us death and disaster hammer at the senses in combat.⁴⁴ Clausewitz tells us war takes place in a realm of uncertainty. Duty morally obligates the leader to think about the consequences of his decisions, and the electronic age in which we fight makes this obligation even more important.

The world today is smaller, the electronic media brings the results of military action into the light of public view as they unfold.

The military leader may correctly apply tactics and even military necessity properly in combat situations, but without the corresponding ethical foundation final victory may be lost. In the larger sense, therefore, the ultimate justification of combat action must be moral.⁴⁵

It is also clear that different leaders make different decisions facing combat situations. The three general officers cited in the introduction make this point very clear. Each general officer made a decision based upon the battle his division faced. Each decision, however, was ethically correct and in accord with the laws of war. This means leaders of American soldiers must be leaders of character. Leaders of character define a personal path of virtue for themselves, and in their role as the standard bearer for their unit, for their soldiers as well. There can be no one absolute answer to every tactical situation there can be one absolute answer to the research question--it is that ethical principles lie at the heart of our doctrine.

Let your conscience be your guide is often merely a pithy cliché. However, properly understood, this cliché means let wisdom and right reason, as Aquinas stated, be the guide, even when faced with tactical decisions in the heat of battle. The development of moral habit, honed by experience, application of right reason over time, and based upon doctrinal study, allow a commander to take correct decisions. The combination of life experience and study illuminates the path between extremes, even if this combination is not consciously considered. In fact, the more developed the sense of wisdom and moral habit, the more it is an unconscious part of a

leader. This conclusion does not mean any decision a commander makes, faced with a particular situation, is correct.

The facts are: each tactical situation is unique and demands separate actions, and, each commander must face the situation and make his own decision. These facts do not mean any answer is correct, some answers can still be wrong. Facing unique situations requires the application of the principle of double effect to identify and avoid extremes in action, for to act in accord with these extremes most often would be wrong. The identification of the path between extremes leading to a correct answer requires the application of judgment and wisdom. The application of reason and wisdom identifies the path to correct answers. This conclusion has several implications.

The first implication concerns the importance of fully understanding our doctrine. Some officers' "off the cuff" response to the research question may be that ethical considerations have no place in tactical decision making; this response is worrisome, especially at higher pay grades. Our doctrine demands leaders at all levels include ethical considerations in tactical decision making, and senior officers owe it to junior officers to correct this perception. The Army school system cannot rectify the misperception by itself. The schools must ensure the tactical competence--including an understanding of the moral dimension of tactical actions--of the officer corps, at least provide a common base. Perfection is not attainable but setting the example of ethical behavior is possible. The road to understanding begins in the unit.

The "dark" side of command is a perfect point of departure. The officer professional development seminars in battalions provide the best vehicle to spread some understanding of the basis of our doctrine. A degree in philosophy is not required, merely the appropriate field manuals. If we, as Army officers, believe our doctrine that says "ethical behavior is lived,"⁴⁶ and "character is the link between values and behavior...,"⁴⁷ we must live these words and teach them. The second implication is in the world of philosophers and military participation in the debate over just war criteria.

The recent Gulf War provoked passions within the philosophic community that have an impact on the Army. Army officers must join the academic discussions on just war criteria, limits on force, and moral justification of the existence of an armed force. Scholars, with little or no experience in military matters, are writing and may influence political decision makers in the use of force. For example, Father John Langan, SJ, head of the Philosophy Department at Georgetown University, denied, in a national magazine the worth of the lives of American soldiers. Father Langan wrote in COMMONWEAL:

Would it have been possible to stop the bombing and begin the ground war at a point where we would have lost a thousand troops and the Iraqis would have lost twenty thousand, rather than fifty thousand or more? Such an outcome seems preferable.⁴⁸

Powerful voices are raised when considering the effects of the air campaign and the "brutality" of the breaching operations carried out early in the ground campaign. Gordon Zahn of Catholic University wrote, concerning the effects and application of munitions, "The obligation to control and limit their effects to insure that no more

damage or injury than necessary is done *even to combatants* must also be considered."⁴⁹

Philosophers will dismiss the contributions of soldiers to the debate on just war unless we address them on their own ground, in their own terms. We must articulate the ethical foundation of our doctrine and decision making process. The message American officers carry to any debate on the criteria of just war is that philosophers deal with words and theories, military leaders deal with people and apply theories in reality. We understand the ethical basis of our doctrine. We also understand our responsibility to the nation, we chose courses of action in battle that preserve our soldiers lives and honor.

Ethical principles do not inhibit courses of action, they provide guidance to commanders. War has an urgency that precludes philosophic contemplation. Recognizing this fact, ethical principle is interwoven into American doctrine. We do not need a degree in philosophy to understand the need for ethical principles guiding tactical decisions. Our leadership doctrine requires leaders to set the standard for behavior in peace and war. Leaders cannot place their soldiers in positions that dishonor their actions. The ultimate justification of action is moral.

ENDNOTES

- 1
Thomas Aquinas, Summa Theologiae, Volume 41, ed. & trans. T.C. O'Brien, O.F. [New York: MacGraw-Hill, 1972], p.49. [Hereafter cited as Aquinas, by volume and page. Four volumes of Summa Theologiae are cited throughout the monograph.]
- 2
Aquinas, volume 1, p. 49.
- 3
Aquinas, volume 1, p. 51.
- 4
Aquinas, volume 42, p. 42.
- 5
John K. Ryan, Modern War and Basic Ethics [Milwaukee: Bruce Publishing, 1940], p. 7.
- 6
National Conference of Catholic Bishops, The Challenge of Peace: God's Promise and Our Response A Pastoral Letter on War and Peace, ed. Daniel F. Hoye [Washington, D.C.: United States Catholic Conference, 1983], p. 27. [Hereafter cited as NCCB.]
- 7
NCCB, pp. 31-33.
- 8
Michael Walzer, Just and Unjust Wars [New York: Basic Books, 1977], p. 155.
- 9
Aquinas, volume 35, pp. 81-82.
- 10
Aquinas, volume 42, p. 239.
- 11
Aquinas, volume 35, p. 85.
- 12
John Langan, "An Imperfectly Just War," Commonweal, 1 June 1991, p. 361.
- 13
Carl von Clausewitz, On War, ed. & trans. Michael Howard & Peter Paret [Princeton: University Press, 1976], p. 531. [Hereafter cited as On War]

14

On War, p. 90.

15

On War, p. 529.

16

On War, pp. 90, 234, 596.

17

On War, pp. 260.

18

On War, p. 263.

19

On War, p. 267.

20

Omar N. Bradley, A Soldier's Story [New York: Holt & Co., 1951], p. 345.

21

Brian A. Keller, "Ethical Decision Making in Panama" [unpublished essay, School of Advanced Military Studies, 1991], p. 2. MAJ Keller explained to me the preparations his battalion made prior to the attack on Panama, and the decision making process used by his battalion commander.

22

Keller, p. 2.

23

U.S. Department of the Army, Staff Organizations and Operation, Field Manual 101-5 [Washington, D.C.: U.S. Government Printing Office, 1984], p. 1-2.

24

U.S. Department of the Army, The Law of Land Warfare, Field Manual 27-10 [Washington, D.C.: U.S. Government Printing Office, 1976], p. 3.

25

Field Manual 27-10, p. 3.

26

Field Manual 27-10, p. 4.

27

Field Manual 27-10, p. 3.

28

Field Manual 27-10, p. 3.

29

U.S. Department of the Army, The Army, Field Manual 100-1 [Washington, D.C.: U.S. Government Printing Office, 1986], p. 22.

30

U.S. Department of the Army, Military Leadership, Field Manual 22-100 [Washington, D.C.: U.S. Government Printing Office, 1990], p. 6.

31

Field Manual 22-100, p. 34.

32

Field Manual 22-100, p. vii.

33

Field Manual 22-100, pp. vi, 6, 34, 50.

34

U.S. Department of the Army, Leadership and Command at Senior Levels, Field Manual 22-103 [Washington, D.C.: U.S. Government Printing Office, 1987], p. 18, CH 3 & 4.

35

Field Manual 101-5, pp. 5-4, 5-6, 5-10. [The following discussion of the decision making process draws upon my own experience and schooling, as well as the Field Manual.]

36

Charles B. MacDonald, Company Commander [New York: Bantam Books, 1947], p. 162.

37

MacDonald, p. 163.

38

MacDonald, pp. 163-165.

39

Walzer, p. xvii.

40

Aquinas, volume 42, p. 33.

41

Hampshire, p. 27.

42

Winters, p. 370.

43

Field Manual 101-5, p. 5-2. [Emphasis added]

44

Anthony E. Hartle, Moral Issues in Military Decision Making [Lawrence: University of Kansas Press, 1989], pp. 126-128.

45

Hartle, p. 128.

46

Field Manual 22-103, p. 18.

47

Field Manual 22-100, p. 25.

48

Langan, p. 365.

49

Gordon C. Zahn, "An Infamous Victory." Commonweal, 1 June 1991, p. 367. [Emphasis added]

BIBLIOGRAPHY

Ajami, Fouad. "Evils that Changed the Goals of War." U.S. News & World Report, 4 February 1991, p. 10-11.

Aquinas, Thomas. Summa Theologiae. Vol 1. ed. Thomas Gilby, O.P. Garden City: Image Books, 1969.

_____. Summa Theologiae. Vol 35. ed. & trans. Thomas R. Heath, O.P. New York: McGraw-Hill, 1972.

_____. Summa Theologiae. Vol 41. ed. & trans. T.C. O'Brien, O.P. New York: McGraw-Hill, 1972.

_____. Summa Theologiae. Vol 42. ed. & trans. Anthony Ross, O.P., and P.G. Walsh. New York: McGraw-Hill, 1963.

The New American Bible, St. Joseph Edition.

Beyer, Lisa. "Three Ethical Dilemmas." Time, 4 February 1991, pp. 48-49.

Blades, Jon W. Rules for Leadership. Washington, D.C.: National Defense University Press, 1986.

Blumenson, Martin. The Patton Papers. Boston: Houghton Mifflin, 1972.

Bourke, Vernon J., ed. The Essential Augustine. New York: Mentor-Omega, 1964.

Bradley, Omar N. A Soldier's Story. New York: Holt & Co., 1951.

Brown, Dale E. and Lloyd J. Matthews, ed. The Challenge of Military Leadership. Washington: Pergamon-Brassey, 1989.

von Clausewitz, Carl. On War. ed. & trans. Michael Howard and Peter Paret. Princeton: University Press, 1976.

Cooke, Terence Cardinal. "Guidance for Catholic Men and Women in Service." Unpublished letter from the Military Vicariate, 1981.

Dubik, James M. "Human Rights, Command Responsibility and Walzer's Just War Theory." in Philosophy & Public Affairs, vol. 11, no. 4 Princeton: University Press, Fall 1982.

Dubik, James M. "Habit to Virtue: An Investigation into Aristotle's Missing Link." unpublished essay, 1979.

Dubik, James M. "Social Expectations, Moral Obligations, and Command Responsibility," an essay in The International Journal of Applied Philosophy, vol. 2, no.1. Fort Pierce, FL: Pioneer Press, 1984.

Gabriel, Richard A. and Paul L Savage. Crisis in Command. New York: Hill and Wang, 1978.

Hampshire, Stuart, et al. Public and Private Morality. New York: Cambridge University Press, 1978.

Hartle, Anthony E. Moral Issues in Military Decision Making. Lawrence: University of Kansas Press, 1989.

Keegan, John. The Face of Battle. New York: Penguin Books, 1976.

Keller, Brian A. "Ethical Decision Making in Panama." Unpublished essay, School of Advanced Military Studies, 1991.

Langan, John, SJ. "An Imperfectly Just War," an essay in Commonweal. New York: Commonweal Foundation, 1 June 1991.

MacDonald, Charles B. Company Commander. New York: Bantam Books, 1947.

McDonough, James R. Platoon Leader. New York: Bantam Books, 1985.

National Conference of Catholic Bishops. The Challenge of Peace: God's Promise and Our Response A Pastoral Letter on War and Peace. ed. Daniel F. Hoyer. Washington, D.C.: United States Catholic Conference, 1983.

Dates, Whitney J., ed. Basic Writings of St. Augustine. New York: Random House, 1948.

O'Connor, John J. In Defense of Life. Boston: The Daughters of Saint Paul, 1981.

Ryan, John K. Modern War and Basic Ethics. Milwaukee, WI: Bruce Publishing, 1940.

Sheen, Fulton. Whence Come Wars. New York: Sheed & Ward, 1940.

Steinfels, Peter. "How Do You Tell A Victorious War From a Just One?" The New York Times, 17 March 1991, sec. 4, p. E4.

Sun Tzu. The Art of War. trans. Samuel B. Griffith. London: Oxford University Press, 1971.

Walsh, Kenneth T. "Bush's "Just War" Doctrine." U.S. News & World Report, 4 February 1991, pp. 52-53.

Walzer, Michael. Just and Unjust Wars. New York: Basic Books, 1977.

Walzer, Michael. "Perplexed: Moral Ambiguities in the Gulf Crisis." The New Republic, 28 January 1991, p. 13-15.

Winters, Francis X. "Freedom to Resist Coercion," an essay in Commonweal. New York: Commonweal Foundation, 1 June 1991.

Zahn, Gordon C. "An Infamous Victory," an essay in Commonweal. New York: Commonweal Foundation, 1 June 1991.

FIELD MANUALS & PAMPHLETS

U.S. Department of the Army. The Army. Field Manual 100-1. Washington, D.C.: U.S. Government Printing Office, 1986.

U.S. Department of the Army. Operations. Field Manual 100-5. Washington, D.C.: U.S. Government Printing Office, 1986.

U.S. Department of the Army. Staff Organizations and Operation. Field Manual 101-5. Washington, D.C.: U.S. Government Printing Office, 1984.

U.S. Department of the Army. The Law of Land Warfare. FM 27-10. Washington, D.C.: U.S. Government Printing Office, 1976.

U.S. Department of the Army. Military Leadership. FM 22-100. Washington, D.C.: U.S. Government Printing Office, 1990.

U.S. Department of the Army. Leadership Counseling. FM 22-101. Washington, D.C.: U.S. Government Printing Office, 1985.

U.S. Department of the Army. Leadership and Command at Senior Levels. FM 22-103. Washington, D.C.: U.S. Government Printing Office, 1987.

U.S. Department of the Army. Values: The Bedrock of Our Profession. DAPAM 600-68. Washington, D.C.: U.S. Government Printing Office, 1986.

U.S. Department of the Army. Moral Leadership/Values: Responsibility and Loyalty. DAPAM 165-15. Washington, D.C.: U.S. Government Printing Office, 1986.